REMARKS

Rejection of the claims under 35 USC § 102:

Claims 1, 4-6, and 13-14 have been rejected under 35 U.S.C. 102(b) as being anticipated by Bennett et al. (U.S. Patent 6,008,344). Applicants have amended the claims to obviate the rejection. Specifically, Applicants have amended the claim 1 to recite a labile bond cleavable under mammalian physiological conditions. Applicants have defined a labile bond as: "a covalent bond that is capable of being selectively broken. That is, the labile bond may be broken in the presence of other covalent bonds without the breakage of other covalent bonds." (page 13 lines 1-28). By this definition, the bond must be able to be cleaved under physical and chemical conditions which are normally present in a living mammal without braking other bonds in the RNA. Bennett do not teach any RNA modification that fits these requirements. Applicants have provided, with this letter, a Declaration under 37 C.F.R. 1.132 showing that Bennett et al. do not teach the labile modification or an oligonucleotide. Applicants request reconsideration of the rejection.

Rejection of the claims under 35 USC § 103:

Claims 1, 4-10, and 13-14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett et al., Tuschl et al., Hammand et al. (Nature 2001), and Goldsborough (WO 01/94626) as evidenced by Letsinger et al. (PNAS 1989). Applicants have amended the claims as described above to obviate the rejection.

The Examiner's rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1, 4-10, 13, and 14 should be allowable.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted to the USPTO on this date: 10/08/2007.

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